

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
v.	:	CASE NO.: 7:23-CR-49 (LAG) (TQL)
	:	
LEVESTON NATHAN HOLLEY,	:	
	:	
Defendant.	:	

**ORDER**

Before the Court is Defendant Levoston Nathan Holley’s Unopposed Motion to Continue Trial and Amended Unopposed Motion to Continue Trial (Motions to Continue) (Docs. 26, 27). In the Motions to Continue, Defendant moves to continue the above-captioned case to a later date. (Docs. 26, 27).

On May 9, 2023, Defendant was charged with one count of possession of heroin with the intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2, one count of possession of methamphetamine with the intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2, and one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A). (Doc. 1). Defendant made an initial appearance on July 10, 2024, where he entered a plea of not guilty and had counsel appointed. (Docs. 9, 11, 14). On July 16, 2024, after a detention hearing, Defendant was ordered detained pending trial. (Docs. 20, 21). The matter was set for trial on September 16, 2024, and the pretrial conference was set for August 14, 2024. (Doc. 17). Defendant filed the Motions to Continue on August 10, 2024, and August 12, 2024.<sup>1</sup> (Doc. 26, 27). Defendant represents that “[a] continuance is necessary so that the Defendant will have more time to review the discovery, to consider any appropriate pretrial motions and to prepare a proper defense for trial.” (Doc. 26 ¶ 4;

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<sup>1</sup> The Amended Unopposed Motion to Continue amended the original Unopposed Motion to Continue “only to correct the Defendant’s counsel’s e-mail address.” (Doc. 27 at 1 n.1).

Doc. 27 ¶ 4). Furthermore, Defendant represents that defense counsel has conferred with the Government, and the Government does not oppose the Motions to Continue. (Doc. 26 ¶ 6; Doc. 27 ¶ 6).

Upon due consideration, the Court finds “that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). Specifically, the Court finds that denying Defendant’s Motions to Continue would deny his counsel the reasonable time necessary for effective preparation. *Id.* § 3161(h)(7)(B)(iv). Accordingly, Defendant’s Motions to Continue (Docs. 26, 27) are **GRANTED**. The pretrial conference, pretrial conference deadlines, and jury trial in this matter are **CONTINUED** to dates to be determined. The delay occasioned by this continuance shall be deemed **EXCLUDABLE** under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

**SO ORDERED**, this 12th day of August, 2024.

/s/ Leslie A. Gardner  
**LESLIE A. GARDNER, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**